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Dated: April 5, 2004 Signature: \_\_\_\_\_  
(John S. Curran)

OFFICIAL

Docket No.: SMQ-011  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Gary D. Foster

Application No.: 09/270141

Art Unit: 2124

Filed: March 16, 1999

Examiner: T. Ingberg

For: A SYSTEM AND METHOD FOR THE  
GLOBAL DISTRIBUTION OF DATA

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#10/C

P. Curran  
4-8-04

**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

MS Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

In response to the Office Action dated January 5, 2004 (Paper No. 9), please amend the above-identified U.S. patent application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper. Claims 1, 9, 10, 14, 17, 20, 38 and 43 have been amended. Claims 3-4, 18, and 45-52 have been cancelled. Claims 53-58 have been added. No new matter has been added.

**Remarks/Arguments** begin on page 10 of this paper.

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**FAX TRANSMISSION****DATE:** April 5, 2004**PTO IDENTIFIER:** Application Number 09/270141-Conf. #2096  
Patent Number**Inventor:** Gary D. FOSTER**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (703) 872-9306**FROM:** LAHIVE & COCKFIELD, LLP

John S. Curran

**PHONE:** (617) 227-7400**Attorney Dkt. #:** SMQ-011**PAGES (Including Cover Sheet):** 17**CONTENTS:** Amendment Transmittal (1 page);  
Amendment (13 pages);  
Courtesy Copy of Form 1449 from Supp IDS (1 page); and  
Certificate of Transmission under 37 CFR 1.8 (1 page).

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**LAHIVE & COCKFIELD, LLP**  
28 State Street, Boston, Massachusetts 02109  
Telephone: (617) 227-7400 Facsimile: (617) 742-4214

<b>AMENDMENT TRANSMITTAL LETTER</b>				Docket No. SMQ-011	
Application No 09/270141-Conf. #2096	Filing Date March 16, 1999	Examiner T. D. Ingberg	Art Unit 2124		
Applicant(s): Gary D FOSTER					
Invention: A SYSTEM AND METHOD FOR THE GLOBAL DISTRIBUTION OF DATA (AS AMENDED)					
<b>TO THE COMMISSIONER FOR PATENTS</b>					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	34	- 52 =		x	0.00
Independent Claims	9	- 16 =		x	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					<b>0.00</b>
<input checked="" type="checkbox"/> Large Entity <span style="margin-left: 200px;"><input type="checkbox"/> Small Entity</span>					
<input checked="" type="checkbox"/> No additional fee is required for this amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>12-0080</u> as described below. A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
John S. Curran Attorney Reg. No.: 50,445  LAHIVE & COCKFIELD, LLP 28 State Street Boston, Massachusetts 02109 (617) 227-7400				Dated: <u>April 5, 2004</u>	
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PTO/SB/97 (12-97)

Approved for use through 9/30/00. OMB 0651-0031

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Amendment Transmittal (1 page);

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